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Relations industrielles / Industrial Relations, vol. 43, n° 3, 1988, p. 633-659.

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URI: <http://id.erudit.org/iderudit/050436ar>

DOI: 10.7202/050436ar

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Worker Participation in Canada

Some Lessons from the Past

John G. Fricke

The author examines how the participation scheme proposed by the Royal Commission on the Economic Union and Development Prospects for Canada (Macdonald Commission) can be made viable and enduring.

In August 1985, the Royal Commission on the Economic Union and Development Prospects for Canada, the Macdonald Commission,¹ published its final report. One of the key issues which the Commission addressed was what industrial policy Canada should adopt in the face of lagging productivity in many industrial sectors and increasing competition from world markets. It recommended that all Canadian governments provide a supportive environment for the labour movement and for collective bargaining. Management was exhorted to respond to «employee concerns about job security and job satisfaction, and to the often-untapped capability of all employees to contribute to improved productivity and product quality. Unions were encouraged to find new ways to facilitate and to participate in this process». The latter, the commissioners concluded, involved «a responsibility for helping to achieve the levels of competitiveness essential to the survival of the enterprise». In order to accomplish these objectives, the Commission recommended that Canadian governments support, on a local and voluntary basis, such features as preventive mediation programs, quality-of-working-life programs, and gains-sharing/compensation arrangements (Canada, 1985, pp. 447-449).

A similar view was expressed by the Special Joint Committee of the Senate and of the House of Commons on Canada's International Relations in June 1986. The report of the Committee states in part that «While

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** The author would like to express his thanks to Graham Lowe and Gordon Laxer, University of Alberta, and to an anonymous referee for their useful comments on an earlier draft of this paper.

¹ So named after its chairman, Donald S. Macdonald (see Canada, 1985).

government cannot legislate competitive success, it does have a legitimate role in creating an environment where human, capital and technological resources can be used to the full». The report goes on to say that «Management must realize that a firm's most important assets are people and strive to enhance the quality of its workers through training... Labour for its part must adopt a new flexibility toward retraining in the face of changes in the economy and technological change. At the same time, labour and management must adopt a more team-oriented approach as a key to improving productivity» (Canada, 1986, pp. 70, 72).

Royal commissions and special government committee reports never lack any critics. For example, churches, trade unions, women's groups, social agencies, organizations representing Native People, farmers and the disadvantaged rejected the economic perspective underlying the Commission's investigation. These critics foresee a different economic order in which democratic control of the economy and the state is strengthened by creating new forms of participation, as opposed to those advocated by the Commission (Drache and Cameron, 1985, pp. ix-x).

The question which neither the Macdonald Commission² nor its critics addressed is this: How can the participative structures proposed be made viable and enduring for both management and labour? Critical to addressing this question are two considerations in terms of their impact on labour-management relations in the firm. First, changes in the business cycle brought about by prosperous or adverse economic circumstances will tilt the relative bargaining power at the enterprise level either in favour of employers or in favour of labour. In good economic times, when labour is in demand, employers are forced to heed concessions requested by labour and, in turn, force labour to comply with their demands when there is a labour surplus. Second, in times of economic crisis the policies adopted by government in coping with it are of great importance in shaping the patterns of collaboration between labour and management that will emerge. In the Western democracies, it has generally been the initiatives of employer groups in conjunction with supporting government programs that have been responsible for such collaborative schemes (labour-management committees, works councils, quality-of-working life projects, etc.). This obviously reflects the historically close alliance of the business establishment with governmental agencies in an effort to gain control over the potential consequences of adverse economic conditions.

2 See also: the studies commissioned as part of the research program of the Macdonald Commission, especially C. RIDDELL, *Labour-Management Co-operation in Canada and Canadian Labour Relations*, Canada, 1985, Vol. 3, Appendix D, The Collected Research Studies, p. 677.

In order to determine how the participation schemes proposed by the Macdonald Commission can be made viable and enduring, it will be useful, first, to more closely analyse some lessons from the past. Here, our focus will be on the sporadic emergence, operation and general effectiveness of Canadian workplace innovations and the role of government in these efforts. Second, it will be necessary to examine the historical record in an endeavour to seek some explanation for the conduct of participation observed in Canadian firms.

SOME LESSONS FROM THE PAST

Intermittent Occurrence of Participation

One obvious feature which most, if not all, labour-management cooperative efforts have in common is their sporadic occurrence. This is due to both environmental factors and managerial policies. Thus, when labour's services during periods of reconstruction following the two World Wars were urgently required, employers and government vied for labour's cooperation. As a result, labour-management production committees proliferated in many Canadian industries and took a variety of forms. Similarly, when unions during the prosperous sixties and early seventies demanded higher wages and increased benefits due to higher expectations and increased educational levels in the workforce, employers and government, again, sought labour's cooperation to prevent industrial conflict (strikes/lockouts) or other forms of industrial warfare costly to the economy. These employer and government initiatives have sustained themselves well into the eighties, as it was important to cultivate among union officials an appreciation of management's problems that would commit them to support shop-floor cooperation and reduce bargaining demands. Consequently, participation schemes such as joint productivity committees, quality circles and Scanlon plans resurfaced (Swartz, 1981, pp. 55-58; Rinehart, p. 76). These schemes have been variously criticized by writers as a means used by employers of keeping the unions out, compelling workers to think like management, and giving workers the trappings of decision-making power but no compelling reason to abandon their desire for improving the quality of work life (Srinivas, 1980, p. 106; Levitan and Johnson, 1983, p. 8; Rinehart, 1984, pp. 81-82). In short, it has been a continuing concern of employers and the Canadian government to establish and maintain desired productivity levels in the face of national emergencies and recession periods. As well, this concern extended to achieving the containment of labour-management conflicts wherever possible through the device of mutual problem-solving.

Apart from such environmental factors, it is this managerial strategy of mutual problem-solving during the term of a collective agreement which seems to perpetuate the sporadic character of labour-management cooperation efforts. In this context, we would like to make a distinction between 'participation in problem-solving' and 'participation in resource-based decision-making'. This distinction cannot be stressed enough for two reasons: First, it helps us to set boundaries within which participation in distributive decision-making can take place. Second, it defines more succinctly those conditions that have conflict potential. Distributive decision-making involves the choice of a course of action from among a set of feasible alternatives which, given present and possibly future conditions, appears to be most effective for management in achieving its strategic objectives. Moreover, such a choice from a range of alternatives involves a careful evaluation of how particular organizational resources ought to be distributed (wages and benefits, promotions, working conditions, special opportunities or privileges, etc.), and there is no «correct» solution. The decision rule, set either unilaterally by management or jointly by both labour and management, then determines the allocation of such resources.

In problem-solving situations, a correct solution to the problem must be found. Usually the parties have identified the problem jointly, and agreed on a goal that represents the solution, although both parties may not share equally in the joint gains. As Walton and McKersie (1965, p. 127) have noted, «a problem in its purest form would be an agenda item for which the parties would assign the same preference ordering to all possible outcomes and about which the two parties would be equally concerned». As well, problem-solving behaviour presupposes a 'deviation' from some expected norm. This involves the investigation of some defect, its present manifestation and potential causes as well as the means of correcting it. Moreover, problem-solving behaviour frequently results from a previously made decision, that is, the choice of an alternative which failed to accomplish the desired goal. Thus, setting the decision-rule in distributive decision-making may be regarded as the primary event and is *evaluative* in nature; whereas, problem-solving behaviour may be regarded as the secondary event and is largely *corrective* in nature.

Collective bargaining determines the nature and size of the resource that is to be distributed or committed to achieve the firm's objectives. By contrast, problem-solving identifies ways in which the resource committed can be better used to the firm's advantage. In this sense, conflict resolution represents some kind of decision situation where both parties must, prior to the search for alternative courses of action, remedy their goal incompatibility, and establish common terms of reference. In a problem-solving situa-

tion, such common terms of reference have already been established, namely in finding the correct solution. For this reason, the problem-solving concept offers little opportunity (if any) for workers to enter the distributive decision cycle of the organization with resource-based inputs such as wage issues, conditions of employment or general organizational policy. While such problem-solving exercises are considered to be mutually beneficial, the degree of worker satisfaction, morale and self-esteem they purport to achieve is less clear (Fricke, 1987, p. 106).

The legislative ban on strikes/lockouts during the term of an agreement has undoubtedly contributed to this situation, in that employers may take advantage of that strike ban to exercise their «residual rights». This means that employers can alter working conditions unilaterally, as long as the agreement does not specifically prohibit such action³. This explains why the vast majority of labour-management production committees were restricted to covering issues outside collective agreements (cf Waldie, 1986, p. 156). The discussion of issues that may result in conflicts of interest is usually reserved by management for 'distributive' bargaining. From a managerial point of view, problem-solving groups have the dual purpose of securing needed information on operational issues vital to the organization's market position and survival. For labour, such committees may subdue conflicts of interest through the tension release and information on management goals they provide during the lifetime of a collective agreement.

As the essence of the problem-solving mode of worker participation is thus largely an exchange of information on a number of problematic issues and not necessarily resource-sharing, problem-solving provides the seeds for the irregular functioning and the rise and fall in popularity of this kind of participatory arrangement. For example, in looking at the early record of labour-management co-operation, Harbison and Coleman (1951) observed a 'Catch 22'. If problems are not resolved by joint action, the parties lose face in co-operation. If problems are resolved, and no new ones come to the surface, the effort simply dies out. However, hidden behind these authors' argument seems to be another factor that accounts for the fluctuating existence of such information structures: if no tangible results for workers are achieved (pay incentives,⁴ gain-sharing, improved working conditions, job security, etc.), the initial enthusiasm of workers for the project may turn into indifference resulting in decreased benefits for management in return. It is no coincidence that the vast majority of voluntary schemes permitting

³ See also: FINN, 1974, pp. 7-8.

⁴ For example, research on pay incentive systems has consistently shown that they improve productivity. See: KATZELL et al., 1977; LOCKE et al., 1980; GUZZO and BONDY, 1983; and BEMMELS, 1987.

participation in enterprise decisions in the Federal Republic of Germany, for example, has been a direct result of company-initiated schemes providing material rewards (Schanz and Riekhof, 1982, p. 19; Beyer and Lezius, 1985, p. 44). Interestingly, a gain-sharing scheme for Canadian enterprises had been advocated by Jean Chrétien, the Minister of Finance at that time, in his budget speech of February 15, 1984. However, owing to the installation of a new conservative government in 1984, this plan never materialized (Canada, 1984a).

Quo Vadis? — The Role of Government

The role of Canadian governments contains a contradiction. On the one hand, government encourages labour-management cooperation in an effort to increase industrial productivity and competitiveness in foreign markets. On the other hand, government (under public pressure) attempts to control any behaviour on the part of labour and management, which it perceives as running counter to current market requirements. In this context, it has frequently been stated that government is in no position to legislate the parties' behaviour, as this is determined entirely by the market mechanism. Yet, is restricting the parties' behaviour via the suspension of collective bargaining privileges and the passing of back-to-work legislation an acceptable practice? Contrary to popular beliefs, we will make the argument that much labour militancy is likely to be the outgrowth of the problem-solving mode of participation, which (notwithstanding some notable exceptions)⁵ appears to be preferred by the majority of Canadian employers while a collective agreement is in effect. The militant reaction to this practice by some unions at the expiry of the agreement and the negative public and governmental response it engenders then become almost a self-fulfilling prophecy.

It is true that collective bargaining, as a process of resource distribution, may involve conflicts of interest between labour and management due to the possible incompatibility of goals which both parties seek to achieve. However, it is after all the opportunity for expressing divergent views on the allocation of strategic resources (wages, working conditions, etc.) which confers a sense of equity to the process of negotiation, although the balance of relative bargaining power may (and frequently is) tilted somewhat in favour of employer interests. Genuine participation in decisions on resource allocation then *must permit the occurrence of conflicts of interest*, if equity

⁵ The agreement between the Shell Canada chemical plant in Sarnia, Ontario and the Energy and Chemical Workers Union (ECWU) is a good example of this. See Davis and Sullivan, 1980, p. 58 and Halpern, 1984, p. 31ff.

between the parties to labour negotiations of whatever kind is to prevail. Paradoxically, the problem-solving mode of participation, as we have described it here, denies such opportunity.

How can we explain the reluctance of Canadian governments to provide the legal framework enabling unions and employers to work out their problems through consultations rather than legislative intervention? There are at least three factors in the Canadian industrial relations system that are inimical to such approach.

First, the voluntarism underlying enterprise level government mediation and binding decision-making by independent third-parties via arbitration has fostered a strong tradition in Canada which seems to have worked reasonably well for both employers and unions. Yet, the face-saving and legalistic format of arbitration proceedings has recently engendered much criticism. For example, Zack (1986, p. 41) notes that instead of being the last resort, arbitration has become the dumping ground for disputing parties unwilling to face the responsibility of resolving their contract impasses through direct negotiation. By deferral to arbitration and reliance on the neutral's decision authority, the parties have abdicated their own authority. «It becomes... the arbitrator who is responsible for what becomes the contract»⁶.

Second, the role of government as a referee in regulating 'excesses' of collective bargaining, as opposed to entrusting the bargaining parties with this task within the confines of a legal framework, is also a firmly entrenched institutional practice in Canadian industrial relations. We have witnessed legislated wage restraints in 1982-83 in seven of the eleven Canadian jurisdictions for a period of one to three years. For example, the measures imposed by the federal government's '6 and 5' program went beyond wage restraint and suspended collective bargaining and the right to strike (Kumar, 1984, p. 11). On introducing this program, *The Public Sector Compensation Restraint Act* (Bill C-124), in June of 1982, the federal government declared «that the '6 and 5' program is a cornerstone of the Government's program of economic stabilization and renewal... intended to set a clear example of federal leadership so that we can deal effectively with the problems of inflation, high interest rates and unemployment and of making our economy more productive»⁷. In addition, we have also seen an increasing incidence of government labour dispute regulation via ad-hoc back-to-work legislation enacted at the federal and provincial levels since the mid-1970's (Canada, 1984b).

6 For other recent critiques of arbitration see: Champlin and Bognanno, 1985; and Chelius and Extejt, 1985.

7 Statement by the President of the Treasury Board in the House of Commons, which was issued in the Treasury Board of Canada's News Release dated December 6, 1982 (mimeo).

Third, unfavourable employer attitudes toward labour combined with the somewhat negative image of unions in the public mind presents a barrier to greater union involvement in enterprise level consultations (Digiacomio, 1978, pp. 116-117; Krahn and Lowe, 1984, p. 156; Kumar, 1986, p. 104). Moreover, as Waldie (1986, p. 198) indicates, decision-making with consultation is decision-making with fewer degrees of freedom, and it is the uncertainty about the possible outcomes of such legislative measures and the public response to them which government is apparently reluctant to face.

The anti-inflation program of 1975 and the wage restraints legislated in 1982-83, with the latter involving the suspension of collective bargaining and the right to strike in the public sector, also legislated conflicts of interest (and hence some token of equity between the parties) out of the Canadian industrial relations system. This is the more difficult to understand, as post-Tayloristic business organizations have to be based on active, competent workers, with a reasonable degree of self-management. It is obvious that people who are expected to be active and competent in certain respects are not likely to be passive and submissive in others (cf Gustavsen and Hethy, 1986, p. 183).

These programs, therefore, sharply reduced opportunities for genuine worker participation in decisions at the enterprise level. Canadian labour has sought redress from such extreme government measures since the inception of the *Canadian Charter of Rights and Freedoms* in April of 1982. While it has been argued that section 2(d) of the Charter on «freedom of association» secures the right of workers to bargain collectively with their employer as well as the right to withdraw their services via the strike,⁸ a recent Supreme Court decision has ruled otherwise. In a 4 to 2 decision (with one justice abstaining), the Supreme Court ruled that section 2(d) of the Charter does not include a guarantee of the right to bargain collectively and the right to strike. In the Court's view, «the modern rights to bargain collectively and to strike... are not fundamental rights or freedoms. They are the creation of legislation, involving a balance of competing interests in a field which has been recognized by the courts as requiring a specialized expertise»⁹. As well, section 33 of the Charter permits provincial legislatures to overrule its section 2 provisions, if they consider such measure as justified for the achievement of the common good.

⁸ See ruling of the Ontario Divisional Court in *Broadway Manor Nursing Home*, 1984, 44 O.R. (2d) 392.

⁹ Supreme Court of Canada, *Alberta Union of Provincial Employees (A.U.P.E.), Canadian Union of Public Employees (C.U.P.E.) and Alberta International Firefighters Association vs. Attorney General for Alberta*, File No. 19234, April 9, 1987, pp. 4-5.

This growing support by the judiciary for the idea of remaining uninvolved in the establishment of labour-management rights and the adjudication of conflicts of interest has also been demonstrated in the United States (see Kaye, 1987).

Compare this approach of government toward freedom of association and the right to strike with Article 9 of the West-German constitution (The Basic Law). For example, sub-section 3 not only provides a constitutional guarantee for «the right to form associations to safeguard and improve working and economic conditions» but also makes clear that any government emergency measures «may not be directed against any industrial conflicts engaged in by associations... in order to safeguard and improve working and economic conditions» (FRG, 1981, p. 17). Article 2.17 of the Swedish constitution guarantees unions and employers the right of industrial action, if such action is not in conflict with other legal enactments or agreements (Adlercreutz, 1985, p. 50). Similarly, Article 28 of the Japanese constitution guarantees worker rights to organize, bargain and act collectively. For example, the provisions of the *Japanese Trade Union Law* of 1949, which protect the unions' right to bargain and strike, are regarded as confirming the constitutional principle (Hanami, 1985, p. 34). In Turkey, the new constitution of 1961 established in Articles 46 and 47 trade union freedoms, the right of employees to bargain collectively with employers and the right to strike (Dereli, 1982).

How then can we reconcile this apparent contradiction in the role of Canadian governments in advocating participation on the one hand while on the other restraining the impetus for participative endeavours via legislation? And more generally, what lessons can we learn from the historical experience with participation in Canada? The key to this question seems to be hidden, first, in the way labour-management cooperative devices have emerged and been used by the parties in the past and, second, in the role government has played in the initiation and shaping of these efforts.

HISTORICAL DEVELOPMENTS

The Roots of Participation

In Canada, the emergence of worker participation in management decisions has been greatly affected by economic and social developments during World War I and the immediate postwar years. Unionism and industrial conflict underwent a particularly intense cycle of growth and decline during World War I. As Jamieson (1973) has noted, most significant to Canadian industrial relations at that time was the establishment of unions and participation in strike action among workers in other industries and trades which, up to this point in time, had remained largely unorganized.

Much like in the U.K., Europe and the U.S.A., one of the most important factors at the root of mounting labour unrest during World War I and the immediate postwar years was the inflationary spiral, accompanied by lagging wages in many industries. These developments reached a dramatic climax in the Winnipeg General Strike of 1919 and had a strong and lasting effect on Canadian industrial relations and political life (Phillips, 1967; Jamieson, 1973). Moreover, rapidly rising prices, widespread suspicion of wartime profiteering and mounting labour unrest brought the federal government increasingly into areas normally under provincial jurisdiction. The growing power of the federal government along with the passage of emergency wartime legislation, which large minorities in the ranks of organized labour thought to be unduly restrictive, appear to have been other factors contributing to widespread agitation and conflict on the industrial relations scene (Jamieson, 1973). The formation of the rather short-lived OBU (One Big Union) movement in Western Canada (1919), for example, was a response to the use of restrictive government policies, increased federal government powers and hostile employer attitudes toward labour (Masters, 1950; McNaught, 1963).

Employers' attitudes toward labour were based on a reluctance to relinquish what they considered to be an important principle for maintaining corporate efficiency, e.g. *the absolute right to manage*. This required as much control as possible over distributive decision-making in the collective bargaining process. Hence, labour's attempt at gaining an improved voice in labour-management relations was regarded by employers as an open attack on basic business principles. Employers, therefore, sought to safeguard these principles by lending strong support to the traditional labour lobby system, then a common arbitration device (Phillips, 1967).

With government industrial relations policy being designed to stem the tide of labour conflict during the period of reconstruction, and Canadian business contemplating the outstanding opportunities in the immediate postwar years, the only reasonable alternative for securing labour peace and industrial efficiency was to have workers participate in decisions affecting their everyday working life. This state of affairs induced, as noted by Clark (1939), a group of entrepreneurs (often large companies and usually subsidiaries of foreign firms), to take the lead in setting up industrial councils at the end of World War I. The most elaborate industrial councils were established in multi-plant companies, such as Imperial Oil, International Harvester, and Massey-Harris. Yet, these were merely the most visible and long-lasting manifestations of a movement which prompted reforms (in different degrees of formality) in a wide range of companies (Canada, 1919).

Formal industrial councils in Canada had two major sources, one in Britain and the other in the United States. The British model was represented by the Whitley Councils. These were formed in a number of British industries at national, regional and company levels after 1917 on the advice of a subcommittee of the Reconstruction Committee of the United Kingdom. These councils consisted of representatives of employers and workers in equal numbers, and met at regular intervals to discuss all matters relating to problems in industry and those bearing directly on the labour-management interface. The representation within the councils was based on employer associations and on trade unions (Canada, 1919 and 1921).

The incorporation of organized unions into the council structure appeared to be the major difference between the British Whitley Councils and the American representation plan. The American type of council was developed largely by Mackenzie King in his work for the Rockefeller family during the Colorado coal strike in 1914. While industrial councils based on the Whitley model were, to a degree, adopted by a few Canadian industries (especially in the construction area), Canadian business largely opted for the Rockefeller-King type of labour-management co-operation. This form of participation allowed labour relations to be moulded on a plant-by-plant basis and made trade unions «unnecessary» as Mackenzie King put it (Scott, 1976, p. 160). However, as Craven (1980) has noted, it would be a mistake to regard King's innovations as something entirely new on the industrial relations scene. The history of state involvement with the 'labour problem' antedates the turn of the century in Canada and owes much to precedents established elsewhere.

The establishment of joint councils in industry and works committees was based upon a recommendation by the Royal Commission on Industrial Relations in 1919. The Dominion Government was urged to «interest itself in the development of these councils, and it was further encouraged to establish a bureau under the Minister of Labour which would compile all available statistics on this subject... maintain officers who would be available to give assistance and act as liaison officers between employer and workers where desire is expressed to create such councils, and render such other assistance as may be required» (Canada, 1921).

The issues dealt with by these councils included wages, working conditions, apprentice regulations, education, work methods, quality control, group insurance, health matters, promotion, safety, and even recreation. The structure of a particular council consisted of a number of standing committees. The latter discussed major subject areas, but the council structure also accommodated a number of sub-committees on specific concerns which disbanded following their report to the council (Canada, Feb. 1921).

As some writers have noted (Wood, 1931; Nadworny, 1955), the industrial councils were both rivals and examples to the unions which struggled for recognition and survival in the 1920's, including the unions that initiated the union-management cooperation movement in Canada during 1925 at the CNR maintenance shops in eastern Canada (Wood, 1931; Jacoby, 1983, p. 27). Yet, the councils were very much company unions and eventually gave way to a more franchised and adversarial system of employee representation.

In summary, the roots of participation in Canada are found in economic and social developments during World War I and the immediate post-war years. The establishment of unions and participation in strike action among workers in non-unionized industries due to inflation and lagging wages had a profound effect on early Canadian industrial relations. With the federal government being interested in minimizing labour conflict during the period of reconstruction and employers keen on maximizing opportunities in the immediate post-war years, securing labour peace and industrial efficiency via worker participation appeared to be the only reasonable alternative to existing conditions.

Participation as an Institution

More extensive union-management co-operative efforts were initiated during World War II, when Canada as well as other nations drawn into the war were attempting to increase military output in the face of shortages of labour, materials and energy. At this time, working class consciousness peaked in a desire to create a «new deal» for itself, especially as conditions of full employment were favourable to union growth. Union membership grew rapidly, as did the incidence of labour unrest with strikes reaching a new peak in 1943 in terms of number and total workers involved. The major issue in the vast majority of these strikes was that of union recognition in the face of strong and wide-spread opposition from employers (Jamieson, 1973). What unions at that time hoped to accomplish was recognition as partners in securing a greater share in distributive decision-making instead of being partners in achieving management's strategic goals via joint problem-solving.

The federal government responded to this impact of World War II on Canadian industrial relations in two ways, namely by passing order-in-council P.C. 1003, the National War Labour Order, in February of 1944, and by exhorting labour and management groups, once again, to minimize their differences via the establishment of labour-management committees to

discuss important issues of mutual concern. P.C. 1003, modelled along the lines of the 1935 *Wagner Act* in the United States, superseded previous legislation during the war emergency and brought the national labour code more in line with the American pattern. It guaranteed labour's right to organize, the selection of appropriate collective bargaining units, certification of bargaining units, certification of bargaining agents, compulsory collective bargaining, and labour relations boards to investigate and correct unfair labour practices. The provisions of P.C. 1003 became the model for most postwar industrial relations legislation in Canada (Lorentzen and Woolner, 1950). Several hundred labour-management production committees were formed under the sponsorship of the federal government in munitions and clothes manufacturing plants across the country, concentrating on production problems or issues indirectly related to the production process, such as absenteeism, safety or job classification (Batt and Weinberg, 1978).

The pluralist nature of Canadian culture (ethnic diversity, differences in government policies, variety in union and management ideologies, etc.) and labour's reluctance to become partisan to the policies of any political party to represent its cause in Parliament had kept the scope for installing participation as an institution rather narrow and segmentalist in nature. As well, Jamieson (1973, p. 92) notes that the decade of the 1950's represented largely a period of stability and growth, widespread optimism, complacency and conservatism of a kind quite similar to that of the 1920's. This development seemingly reduced the need for such co-operative arrangements, as management and unions probably felt that the most urgent requirements for reconstruction had been met by the joint consultation committees.

In the late 1950's and early 1960's, several union-management agreements revived interest in developing new collective bargaining institutions for bringing about improvements in productivity, the protection of employee job rights and the enhancement of co-operative relations. A number of unions and managements began to experiment with new forms of co-operative bargaining. The objective was to resolve divergent interests through continuous attention to problems, in order to evoke a compromise in improving the parties' joint preferences in specific areas. A prime example of these developments can be found in attempts by management and workers in the Canadian and United States steel industries in a move away from distributive bargaining to a less adversarial form of bargaining (Chamberlain, 1965; Derber, 1977). This meant that management in the steel sector was more inclined to share with the unions an *evaluation* of how strategic resources ought to be distributed (wages, pay incentives, working conditions, etc.), rather than to have them voice an opinion on how largely managerial problems could be best resolved or corrected.

During the late 1960's and early 1970's, Canadian industrial relations had been marred by increasing strife, which led to a crisis of confidence in the industrial relations system in that era. This turbulent state of affairs prompted the Prime Minister at the time, Pierre Elliot Trudeau, to establish a Task Force on Labour Relations under the chairmanship of Dean H. D. Woods of McGill University to investigate the underlying causes of such unrest. In its critique of the system, the Task Force stressed the necessity for introducing some forms of industrial democracy into the workplace, such as «alternatives ranging from mutual cooperation to co-determination *in areas not normally subject to collective bargaining*¹⁰. Although such arrangements may not be indispensable to a regime of industrial democracy, they can add a new dimension to the concept» (Canada, 1968). The phrase in italics is important to our general argument, in that it reduces the workers' role to that of partners in problem-solving to correct some of the organization's more immediate shop-floor concerns. This left the unions with little opportunity to work out a reasonable solution to their own problems via distributive bargaining. Through the introduction of this phrase, the Task Force curtailed the very foundation for genuine worker participation instead of adding «a new dimension to the concept».

The Woods Task Force recommended the formation of a Canadian Industrial Relations Council empowered to investigate any industrial relations issue and offer advice to the parties concerned on proposed policy and program changes. This Council was to be chaired by a prominent citizen acceptable to both labour and management, have two vice-chairmen (one from labour and the other from management), and include at least two other public members as well as three other union and three other management representatives. This recommendation also included the proviso that, although the Council was to have only an advisory relationship to the Department of Labour, it should have independent status, and be required to prepare an annual report to Parliament on its activities (cf. Canada, 1968). However, the federal government never followed this particular Task Force recommendation,¹¹ as it was apparently concerned with the independent role of the Council and its direct link with Parliament. Having no active role to play in Council decision-making at the source, the government

¹⁰ The italics are ours.

¹¹ The author attempted to explore the reason for not following through with the Task Force Recommendations with federal government officials during June, 1984. He was, however, unable to trace any person familiar with the federal cabinet policy on this issue at that time.

evidently decided that it was not prepared to share what it perceived as «undesirable» political consequences that might arise from the Council's operation.

In the meantime, the level of strikes and lockouts was rising. For example, during the 1970-1976 period, 14% of all settlements were reached following a work stoppage compared with 10% during 1965-1970. The strike record of 1975 (1200 workerdays lost for every 1,000 persons employed), was the second worst strike record among the industrial nations. Although as a percentage of work time lost, work stoppages have never amounted to more than three fifths of one percent, they were relatively high when compared to the U.S. figure of one fifth of one percent (Wood and Kumar, 1977; Laberge, 1978; Malles, 1977).

In concluding, we would like to reiterate that during the decade immediately following World War II, the pluralist nature of Canadian culture and labour's reluctance to become partisan to the policies of any political party kept the institutionalization of participation narrow and segmentalist in nature. It was only during the late 1950's and early 1960's when a number of unions and employers began experimenting with new forms of co-operative bargaining. Increasing labour unrest during the late 1960's and early 1970's and the ensuing economic crisis and global recession during the 1970's further sparked the introduction of co-operative schemes with the assistance of the federal government. While well-intentioned, such assistance did not have the desired effects owing to its support of the problem-solving mode of worker participation.

Recent Developments

A period of relative prosperity during the late 1960s and early 1970s marred by strikes and considerable labour unrest, decreases in productivity growth, increased foreign competition on world markets and rising worker expectations placed considerable pressure on Canadian business to prepare for economic survival. Moreover, Canadian workers had begun to question the value of jobs which, while providing a better standard of living, also involved some negative effects on their health and work environment. Again, this was a time when labour's consent and co-operation was urgently needed. However, what was new in Canada were the rising expectations of workers, their increased educational levels and the introduction of new technologies. All of these factors meant the gradual dismantling of Taylorism in organizations (although this point is debatable) and the advent of speedy global communication.

These events ushered in serious attempts at work reform by academics, government department across Canada and a number of large corporations. The innovations that were introduced in many organizations largely focused on job rotation, flextime work arrangements, job enlargement, semi-autonomous work groups, and other related schemes to create new forms of work organization. In some instances, joint labour-management teams were established; in other instances changes were directed and implemented by management. While some unions were willing partners to these innovative efforts, many others dissociated themselves from them, maintaining that they were nothing but age-old management ploys to raise worker commitment to the organization and increase productivity, as genuine work reform could only be achieved through collective bargaining (Wood and Kumar, 1977; Nightingale, 1982). To be sure, the innovations introduced by some employers were regarded as genuine attempts at providing for greater union participation in distributive decision-making while other innovations were looked upon as attempts at conflict avoidance (and hence reduced equity) in the labour-management relationship.

In response to this volatile industrial relations scene, the federal government sponsored a symposium on the «Social Indicators on the Quality of Working Life» in 1973. One of the major objectives of this effort was to gain a more systematic understanding of the processes underlying industrial relations, thereby increasing the Department's capacity to help the parties to collective bargaining resolve their differences (Canada, 1972; Portugal, 1973; Riddell, 1986, p. 78). This effort was, however, counterpoised when the federal government established the Anti-Inflation Board in October, 1975, as a measure to control wages and prices in both the public and private sectors. All but one of the provinces followed the federal government's example by either adopting the federal program or enacting a similar program for their own employees (Carter, 1984, p. 1).

At the height of the unions' opposition to the federal government's program, the 1976 speech from the throne announced a new 14-point program for improving Canada's labour relations scene. The new policies focused on improving the collective bargaining process and the industrial relations system generally. They also placed greater stress on health and safety, a new code for good industrial relations, the expansion of advisory services, and the establishment of a national quality of working life centre. The particular objective of the latter was to stimulate worker participation in problem-solving, and to assist with actual experiments in industrial democracy. Here, the labour minister at the time, John Munro, did not anticipate any transplantation of the European models of industrial democracy in Canada. He seemingly felt that labour, management and government could co-operate in developing a form of worker participation in keeping with Canada's needs and tradition (Munro, 1977).

During the 1970's, Quality of Working Life projects with their bi-lateral committees to work out changes at the shop-floor level gathered momentum in Canada and resulted in the establishment of a QWL unit at Labour Canada¹² and the Ontario Quality of Working Life Centre sponsored by the Ontario Ministry of Labour. These QWL projects also provided a model for a number of labour-management committees that were established in twenty-three industrial sectors across the country on the initiative taken by Labour Canada. However, once these units were in operation, Labour Canada withdrew its manpower from participation in these committees in 1978, and handed over the responsibility for assisting their efforts to the provinces (Fricke, 1983; Drache and Cameron, 1985, p. 123).

During the late 1970's and early 1980's, token efforts by some Canadian provinces (notably Québec, Ontario, New Brunswick and Alberta) have assisted industry in establishing problem-solving labour-management advisory committees in various economic sectors in addition to the committees left in their care following the Federal Government's withdrawal from the undertaking. It is of interest to note that Ontario, Québec, New Brunswick and (more recently) Alberta have taken the initiative in advocating the concept of the labour-management committee as an integral part of their preventive mediation programs (Fricke, 1983).

In 1980, the International Council for the Quality of Working Life approached Labour Canada's QWL unit and Ontario's QWL Centre with the request that Canada host an international conference on QWL. At that time, models from Britain, the Federal Republic of Germany and Scandinavia were increasingly being adopted throughout Europe and North America. QWL activity appeared to be particularly acute in Canada in the form of semi-autonomous work teams, job enrichment and labour-management problem-solving groups. Canada responded to the exhortations of the International Council for the Quality of Working Life and hosted a large world-scale conference in Toronto in 1981. When compared to the first international QWL conference at Arden House, Columbia University, New York in 1972, which was deliberately designed as a limited undertaking, the Toronto conference was expected by some labour relations practitioners to have an impact on Canadian industrial relations for the balance of the 1980's and beyond (Riddell, 1986, p. 78).

12 On the recommendation of the Nielsen Task Force Report, the Labour Canada Quality of Working Life Program was terminated as of April 1, 1986. See also: Editorial — «Termination of QWL Program» in last issue of *Quality of Working Life: The Canadian Scene*, Vol. 9, No. 1, 1986, p. 1. This editorial states that Labour Canada's decision to terminate the program was taken «in the general context of budgetary constraints and the government's commitment to reduce the size of the public service».

In the recession of the early 1980's, it has been a rather difficult task to gauge the more specific effects (if any) the conference may have had upon different economic sectors in Canadian industry. Nevertheless, it probably made some contribution to sustaining/or re-kindling earlier participatory efforts across the nation, and laid a foundation for a more coordinated and systematic approach toward participation in Canada (Nightingale, 1982). Yet, the record of achievements in these participation schemes appears to be uneven. Cohen-Rosenthal (1980), for example, assessed many instances of union involvement in Canadian QWL projects and applied his judgements to a range of industrial sectors, public and private employment, old and new industries, and unions across the spectrum of traditional, political and ideological attitudes. He concluded that, while there are pitfalls in these projects, the opportunities to win some gains for workers and achieve access to company information is often a step forward.

An important offshoot of the Toronto conference was the inauguration of the Canadian Council of Working Life (CCWL) in Ottawa in 1982. The CCWL represents a significant means and resource for assisting and reinforcing the work of QWL-oriented labour relations practitioners across Canada. It encourages experimentation and research on participation schemes, assists in securing the funding for worthwhile projects and publishes newsletters and current information on participatory arrangements which are operating in the provinces (CCWL, 1982).

The establishment of the Canadian Labour Market and Productivity Centre (CLMPC) in Ottawa in 1984 represents a more recent involvement by the Federal Government developing a new national partnership of labour, management and government to meet the challenges of the 1980's. Also, this is the first joint effort that is fully endorsed by the Canadian Labour Congress, especially since the imposition of wage and price controls by the Federal Government in the fall of 1975. Clearly, the deepening recession during the early 1980's and the unions' concern with securing jobs for rank-and-file members as well as training them for the demands of new technologies was a factor in causing this shift in labour's attitude toward employers and government.

In summary, the historical record clearly shows not only the cyclical character of participation efforts (based on economic circumstances and prevailing market mechanisms) but also the strong role of the state to control their impact on industrial relations. This record further shows that labour's relatively uninvolved role in this process can be explained by the advocacy of the problem-solving formula of participation rather than resource based decision sharing, the latter referring to genuine worker participation on a continuous basis. This situation but serves to perpetuate the status-quo rather than lend greater equity to labour-management relations.

CONCLUSION

How then can the participation structures proposed by the Macdonald Commission be made viable and enduring for both management and labour? The lessons from the past clearly indicate some recurrent trends which require careful evaluation and subsequent action. In this, the role of government assumes greater significance than previously. Two of these trends have been well stated by Jacoby (1983, p. 32)¹³.

First, union support for cooperation is facilitated by the belief that it may lead to industrial democracy. As during the two World Wars and the turbulent sixties and seventies, union leaders continue to view cooperation as part of a long-run strategy to achieve broad union goals. For some trade unionists, the desired *quid pro quo* for cooperation in shop-floor productivity experiments is greater influence over distributive decision-making in the firm.

Second, cooperation has the same risks which it has raised in the past. On the union side, cooperation leaves the union leadership continually open to accusations of collaboration and «sell out». Moreover, modern union leaders share with their predecessors a suspicion that techniques to enhance productivity are intended to weaken the union's bargaining power. For management, old concerns have re-surface about the proper scope of 'distributive' bargaining and programs for gain-sharing.

In Canada, a third trend which has emerged (especially since the passing of the Charter in 1982) are judicial decisions in the area of labour dispute resolution. Many of these have emphasized the «case on hand» and refrained from giving adequate consideration to prevailing economic and political conditions, and the social implications of these for the workforce (Carter, 1985, pp. 5-6). It seems that this is the responsibility of the government in power and the legislature. The latter, in turn, decree that under voluntarism it is up to the parties to bargain responsibly and in good faith¹⁴ and to seek redress for perceived injustices outside the ordinary court system (e.g., via mediation, labour relations boards, etc.)¹⁵.

13 This author recently analyzed the history of labour-management co-operation in the United States. Perhaps with some minor modifications, his findings also apply to the Canadian context.

14 In this context, Canadian labour relations boards are still experiencing some difficulty in drawing a dividing line between 'hard bargaining' and 'good faith bargaining' (cf. Bemmels, Fisher and Nyland, 1986, p. 611).

15 Supreme Court of Canada, April 9, 1987, *op. cit.* pp. 27-28.

How can these lessons from the past be reconciled for the common good? To be sure, government incentives for the parties to bargain responsibly are much to be preferred to ad-hoc government intervention¹⁶. However, if participation is to become more than what some writers have called a 'fair-weather' phenomenon that is strongest during periods of economic growth and political consensus but disappears during economic recession and political controversy (cf. Thimm, 1987, pp. 118-119), one important condition must be present in the relations between management and labour. As already noted, the right to disagree and its concomitant conflicts of interest (and with them equity) in labour-management consultations must be permitted at any time. Importantly, this includes the discussion of resource-based issues including wages, incentives, working conditions, etc. while an agreement is in effect. As the history of labour-management cooperation has shown, problem-solving exercises designed to raise productivity levels and market competitiveness outside the framework of a collective agreement (within which a reasonable measure of equity is preserved) are simply ineffective in Canada's highly contractual industrial relations system. In this sense, the recommendations of the Macdonald Commission that all Canadian governments provide a supportive environment for the labour movement and collective bargaining are not likely to have their intended effect.

For government as a referee in labour disputes this situation contains a 'Catch 22'. If it continues its present 'interventionist' role and legislates conflict between the parties out of the system, it tends to negate its ultimate purpose, namely to bring about labour peace. If it does not intervene, a volatile situation may go out of hand and, in some cases, cause considerable public inconvenience. Surely, an enabling legislative framework, which facilitates 'continuous bargaining' on all issues including those contained in the collective agreement while it is in force, is preferable to the release of long-harboured grudges and animosities that may lead to strike or lockout action when the agreement is open for re-negotiation. Some Canadian enterprises have already elected to follow this route; however, the vast majority of them appear to be as yet undecided on this important issue.

Evidence from Saskatchewan on the performance of the legislated health and safety committees indicates that these committees have worked effectively and in harmony toward mutually beneficial solutions (Adams,

¹⁶ For example, the *Industrial Relations Reform Act*, 1987 (Bill 19) recently passed by the British Columbia legislature provides the government with sweeping powers «to enquire into the progress of collective bargaining» regardless of whether a strike or lockout has occurred — See s.137.4 (3) and s.137.7 (1). The government can also intervene where a «dispute poses a threat to the economy of the Province» under s.137.97 (2), without recourse to the legislature.

1986, p. 100). It is doubtful whether expanding the function of these 'works councils' to include the negotiation of wages and benefits in the unionized sector would pose a threat to employers and independent trade unionism. As well, such a move might induce Canadian workers to look at the workplace, employers and unions with less complacency and hostility than in times past in order to protect their rights and privileges.

Finally, how can we accommodate our argument in terms of the dominant approaches to conceptualizing participation that are found in the literature? Poole (1982, p. 181) has cogently described these as: (1) the 'evolutionary school' in which participation is seen as gradually unfolding alongside changes in the economic, political and social fabric; (2) the 'cyclical' or 'favourable conjunctures' school which sees a discontinuous process of advance and retreat; and (3) the 'comparative school' which has as its main focus the origins and patterns of national diversity in approaches to participation. However, none of these perspectives incorporates the important theoretical distinction between 'participation in problem-solving' and 'participation in resource based decision-making', as we have argued. The role of conflict resulting from labour and management goal incompatibilities over decisions on resource allocation — an important precondition for genuine participation — is hence ignored.

The 'cyclical' model advocated by Ramsay (1977, 1983) at least acknowledges the distribution of power as underlying the sporadic occurrence of participation. By contrast, the 'evolutionary' model (cf. Brannen, 1983) has us believe that participation will remain as a permanent institution of the industrial relations system. If, within the argument we have advanced, the 'evolutionary school' argues that participation in problem-solving has become a more permanent feature of organizational life, it may have a point, although its arguments do not lack in complexity. If, on the other hand, the proponents of this 'school' focus on participation in decisions on resource allocation, we see little evidence for this happening; this area simply requires further conceptual clarification. As Long and Warner (1987, p. 85) have indicated, the future for traditional collective bargaining (a device for genuine participation in resource based decisions) presently seems to be much constrained in North America. In contrast to these scholars' views, however, this development would, if our present argument is accepted, lend some support to the 'cyclical' interpretation of participation trends.

Poole (1982) has indicated that the 'evolutionary' and 'cyclical' perspectives of participation share a common notion of convergent trends which either develop from modern socio-cultural, economic and technical conditions or which cluster in particular historical circumstances. Perhaps, it might be useful to examine which modes of participation (*problem-*

solving versus resource based decision-making) are permitted in varying cultural contexts and different countries. It seems that the 'comparative' model has much to contribute to bringing about a synthesis of the various interpretations of participation trends.

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La participation des travailleurs au Canada Quelques leçons du passé

Cet article réévalue le concept de la participation des travailleurs en établissant une distinction conceptuelle entre «la participation au règlement des problèmes» et «la participation à la prise de décisions fondée sur la gestion des ressources». Il applique ensuite cette distinction à la façon dont les entreprises canadiennes orientent cette participation ainsi qu'au rôle que l'État a joué historiquement dans sa promotion de la participation des travailleurs aux décisions des employeurs en vue d'améliorer la productivité et d'établir des meilleures relations entre employeurs et travailleurs.

La «participation au règlement des problèmes» présuppose une déviation par rapport à une norme espérée. Cela consiste à enquêter sur certaines failles, sur ses manifestations et sur ses causes potentielles ainsi que sur les moyens de la corriger. Souvent, le comportement adopté résulte d'une décision antérieure, c'est-à-dire le choix d'une alternative qui n'a pas réussi à atteindre la fin désirée. La «participation fondée sur les prises de décisions» comprend le choix d'une série de démarches basées sur plusieurs alternatives qui semblent être les plus efficaces pour réaliser les objectifs stratégiques de la direction. Ce choix, à partir de diverses alternatives, exige une évaluation soignée de la façon dont les ressources organisationnelles devraient être utilisées. Il peut soulever aussi des conflits d'intérêts entre les parties résultant de l'incompatibilité des fins que la direction et les travailleurs peuvent chercher à réaliser. De tels conflits d'intérêts doivent contribuer à assurer un certain esprit d'équité dans les relations professionnelles. Dans les situations de règlement des problèmes, les conflits d'intérêts sont généralement évités car les parties ont des mandats clairs i.e. trouver une solution juste à leurs difficultés. Par contre, dans la participation à la prise de décisions fondée sur la gestion des ressources, les parties ont encore à établir des mandats clairs sur la manière dont elles répartiront les ressources, et il n'y a aucune solution parfaite. Ainsi, la première façon de procéder est d'ordre *correctif*; la deuxième est de nature fondamentalement *estimative*.

La première partie de l'article est analytique. On soutient que la stratégie patronale de participation des travailleurs au règlement des problèmes a aidé à perpétuer le caractère sporadique de la coopération entre travailleurs et employeurs au Canada.

Ce genre de participation porte habituellement sur des sujets qui ne relèvent pas des conventions collectives. De cette façon, on évite les conflits d'intérêts et, par conséquent, on n'a pas à discuter d'une solution mutuellement convenable concernant le partage des ressources. Le rôle des gouvernements au Canada a été ambigu en cette matière quand, sous la pression de l'opinion publique, ils ont tenté de contrôler la conduite des parties si elle allait à l'encontre des conditions économiques ayant cours et si elle entraînait des difficultés pour la population. Dans leur désir d'éviter des conflits d'intérêts, les gouvernements canadiens ont souvent favorisé la participation au règlement des problèmes, aggravant ainsi ce qui pouvait déjà être des relations entre employeurs et travailleurs bien fragiles au lieu de les atténuer. Et ceci s'applique aux recommandations de la plupart des groupes d'études, commissions royales d'enquête et comités spécialisés des gouvernements.

Dans la deuxième partie de l'article, on s'efforce de trouver une certaine explication à la nature actuelle de la participation des travailleurs au Canada par la révision dans le temps des réalisations et du rôle de l'État dans l'élaboration des accords de participation. Les résultats confirment qu'un des facteurs majeurs du maintien du caractère cyclique de la participation au Canada est que la formule du règlement des problèmes est celle que la plupart des employeurs préfèrent encore. Cette forme de participation semble recevoir l'appui des larges secteurs de la population et des gouvernements.

La conclusion de l'article suggère qu'une législation appropriée facilitant la négociation continue de toutes les questions, y compris celles contenues dans les conventions collectives en vigueur, est préférable au maintien d'animosités interminables qui peuvent conduire à des conflits industriels. Enfin, on y soutient que les efforts de coopération syndicale-patronale ne paraissent pas exprimer une tendance évolutive, mais un processus discontinu d'avance et de recul tel que préconisé par l'école de participation des travailleurs «cyclique» ou de «conjonctures favorables».

LE STATUT DE SALARIÉ EN MILIEU DE TRAVAIL

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ISBN 2-7637-7079-7

1 volume - 296 pages - 1985 - \$17.00

Les Presses de l'Université Laval

Cité universitaire

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G1K 7R4